

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FABIAN MUYABA,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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Civil Action No. 3:12-cv-0168-O-BD

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case (ECF No. 8). Plaintiff filed objections (ECF Nos. 9-11). The Court has conducted a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The Court finds that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are correct.¹ Accordingly, Plaintiff's objections are **OVERRULED**, and the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge as the findings of the Court. Therefore, it is **ORDERED** that Plaintiff's Motion to Vacate (ECF No. 2) is **DENIED**.

SO ORDERED on this **11th day of October, 2012**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE

¹ Although not affecting the Court's decision to deny Plaintiff's Motion to Vacate, the Court notes that the jury did not convict defendant of identity fraud in violation of 18 U.S.C. § 1028(a)(7) & (c)(3)(A) as the Findings, Conclusions, and Recommendation states. *See* Judgment as to Fabian Muyaba at 1, *United States v. Akhigbe et al.*, No. 3:08-cr-00348-O-5 (N.D. Tex. Oct. 7, 2009), ECF No. 195.